

Message Text

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ORIGIN L-03

INFO OCT-01 NEA-10 ISO-00 EB-07 OES-06 SS-15 AGR-05 LAB-04

HEW-04 HUD-01 DOTE-00 TRSE-00 AID-05 COME-00 NAS-01

NSF-01 OPIC-03 FAA-00 ERDA-05 NSC-05 /076 R

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R 022038Z APR 76
FM SECSTATE WASHDC
TO AMEMBASSY TEHRAN

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E.O. 11652: N/A

TAGS: USIRJC IR

SUBJECT: RATIFICATION OF TCA (AND STATUS OF TECHNICAL
ASSISTANCE TEAMS)

REF: (A) TEHRAN 2665 (B) TEHRAN 2824 (C) TEHRAN 2825

1. WE PREFER TO HAVE TCA ENTER INTO FORCE, THEN TRY TO WORK
OUT PROBLEMS WITHIN ITS FRAMEWORK, RATHER THAN TO HOLD UP
AN ALREADY TOO-MUCH-DELAYED AGREEMENT IN HOPES OF SETTLING
BEFOREHAND WHAT WILL HAPPEN UNDER IT ONCE IT ENTERS INTO
FORCE. PROBLEMS RAISED IN REFS B AND C (PRIVILEGES FOR
AMERICAN TECHNICAL PERSONNEL, IMMEDIATELY FHWA TEAM MEMBERS,
IN IRAN AND FOR ABII EMPLOYEES) WILL BE ADDRESSED IN SEPTELS
EMBASSY SHOULD, THEREFORE, SEND NOTE TO MFA INCORPORATING
TEXT OF PARA 2 BELOW. PLEASE POUCH ORIGINAL OF MFA NOTE OF
MARCH 9 (REF A) AND CERTIFIED COPY OF EMBASSY NOTE IN RE-
SPONSE, TO DEPT. ACTION L/T (PURSUANT 11 FAM 723.7).

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2. QUOTE. (COMPLIMENTARY OPENING) ...AND REFERRING TO THE MINISTRY'S NOTE NO. OF MARCH 9, 1976, AND TO THE AGREEMENT ON TECHNICAL COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE IMPERIAL GOVERNMENT OF IRAN

OF MARCH 4, 1975, HAS THE PLEASURE TO CONFIRM THAT THE MINISTRY'S NOTE OF MARCH 9 TOGETHER WITH THIS NOTE CONSTITUTE THE EXCHANGE REFERRED TO IN ARTICLE 8 OF THE AGREEMENT BY WHICH THE AGREEMENT IS BROUGHT INTO FORCE. THE EMBASSY FURTHER ADOPTS THE SUGGESTION OF THE MINISTRY IN ITS NOTE OF MARCH 9, THAT THE DATE OF THIS NOTE SHALL CONSTITUTE THE EFFECTIVE DATE OF THE AGREEMENT. (COMPLIMENTARY CLOSING). END QUOTE.

3. FYI. WE NOT CONVINCED THAT ARTICLE 5, CLAUSE 8 NECESSARILY IMPLIES RECIPROCITY IN PRIVILEGES AND IMMUNITIES ACCORDED AMERICAN AND IRANIAN TECHNICAL PERSONNEL WITHIN OTHER'S TERRITORY, THOUGH WE WELL AWARE OF IRANIAN SENSITIVITIES ON THIS ISSUE. CANNOT, CERTAINLY, ENVISION EXTENDING TO IRANIAN STUDENTS IN THIS COUNTRY THE SAME PRIVILEGES (I.E., DUTY OR TAX-FREE AUTOMOBILES) THAT WE ARE ASKING OF THE GOI IN THE CASE OF THE FHWA TECHNICIANS. IF CONCEPT OF RECIPROCITY IS APPLICABLE, IT WOULD MOST LIKELY APPLY WITHIN THE SAME CATEGORIES OF TECHNICAL COOPERATION (FOR EXAMPLE, TECHNICIANS ASSIGNED TO ADVISE GOVERNMENT AGENCIES) AND NOT EQUATE ADVISORS WITH STUDENTS. FOR THE U. S. TO EXTEND RECIPROCAL TREATMENT TO IRANIAN TECHNICIANS IN THIS COUNTRY, MOREOVER, MIGHT REQUIRE A TREATY; WE PREFER TO CROSS THAT BRIDGE IF AND WHEN WE COME TO IT. END FYI. KISSINGER

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